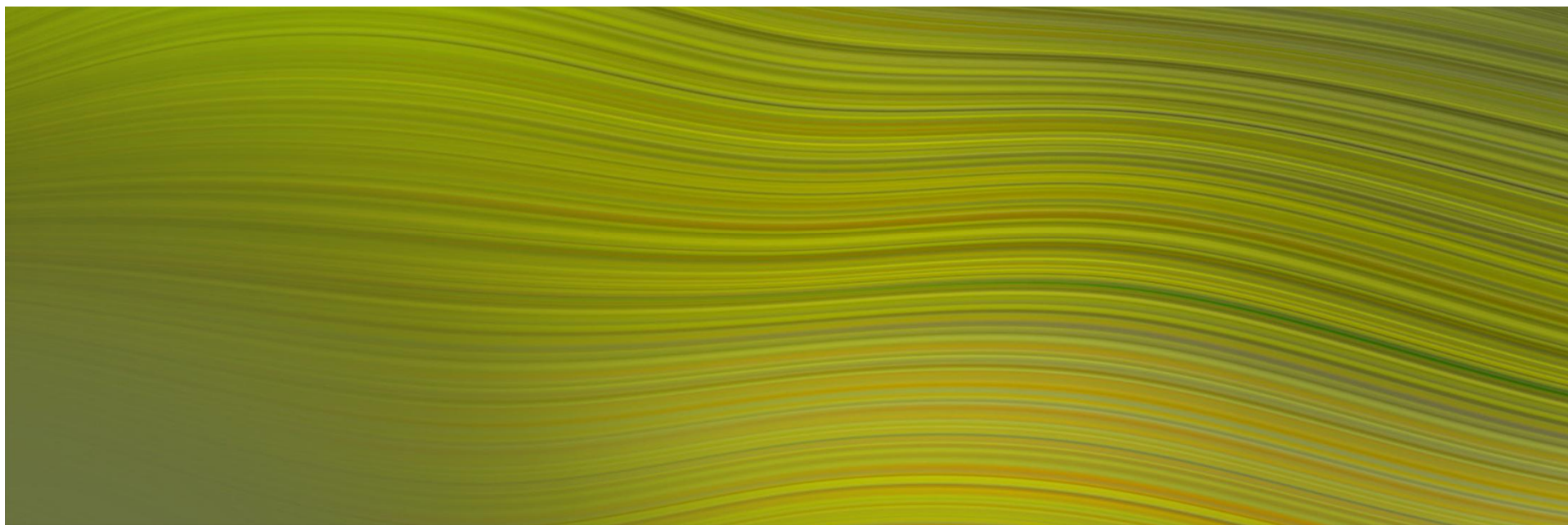


# AKZONOBEL Organic Peroxides Empty Container Return Program

July 2014



## Purpose

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The purpose of this procedure is to detail the steps required to return empty AkzoNobel plastic product containers, which contain a residue of ambient (non-refrigerated) organic peroxides, to Akzo Nobel Polymer Chemicals LLC (AkzoNobel).

*It is AkzoNobel's goal to ensure that containers being returned to its site(s) by our customers will be performed in a regulatory compliant manner, and will be safe for storage, transport and handling, and constitute no risk to those coming in contact with them. All empty containers being returned to AkzoNobel must be "RCRA Empty" as defined in 40 CFR §261.7 and in compliance with DOT "Empty Container" regulations given at 49 CFR §173.29. **This is not DOT Empty according to 49 CFR §173.29(b).***

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## **Precautionary Statement**

**AKZONOBEL is not a licensed waste transporter, nor a licensed waste treatment or disposal facility, and therefore is not authorized to transport, receive, treat, or dispose of any waste materials received from off-site locations. Shipment of empty containers must be done in a manner compliant with the applicable DOT and EPA regulations. Violations would lead to significant regulatory enforcement action and / or penalties to both AkzoNobel and your organization. It is the customer's responsibility to ensure it understands the regulatory requirements applicable to shipping empty product containers and is in full compliance with these requirements. This procedure is not intended in any way to provide advice or counsel on how to comply with the applicable regulations.**

## Precautionary Statement (cont.)

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To ensure that the applicable regulatory compliance requirements and the safety concerns will be appropriately met, AkzoNobel requires all customers intending to return empty AkzoNobel plastic containers to follow the procedures / requirements described herein. **Deviation from these procedures may result in the rejection of containers being returned.**

AkzoNobel retains the right to cease operation of this program at any time, and retains the right to revoke return privileges of empty containers by a customer should that customer not follow the requirements of the program as set forth in this document.

**All containers to be returned must be AkzoNobel plastic product containers that have been appropriately emptied, original caps replaced and tightened with 22-25 foot-pounds of torque prior to being returned.**

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## **Sustainability**

**As the Leader of the Dow Jones Sustainability Index (Chemical Products) in 2013, AkzoNobel continues to encourage sustainability not only within our own organization but within our customer's organizations as well!**

**Returned plastic containers will be recycled into other useful plastic products in the future helping reduce waste while conserving resources and protecting the environment.**

## Container Return Synopsis

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**The new Ambient Organic Peroxide Empty Container Return Procedure includes:**

- **Containers must be “RCRA Empty” and be prepared for shipment as described within the attached Procedure.**
- **Containers are required to be recapped with the original container cap and tightened with 22-25 foot-pounds of torque.**
- **The customer must be the “shipper of record” for empty containers being returned.**
- **Customer Certifications for each shipment will be required.**

## Definitions

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### “RCRA Empty” as defined in 40 CFR §261.7

***US EPA: EMPTY CONTAINER***

40 CFR §261.7(b)(1) states, in relevant part (emphasis added):

A container or an inner liner removed from a container that has held any hazardous waste, except a waste that is a compressed gas or that is identified as an acute hazardous waste listed in §§ 261.31 or 261.33(e) of this chapter is EMPTY if:

- (i) All wastes have been removed that can be removed using the practices commonly employed to remove materials from that type of container, e.g., pouring, pumping, and aspirating, and
- (ii) No more than 2.5 centimeters (one inch) of residue remain on the bottom of the container or inner liner, or
- (iii) (A) No more than 3 percent by weight of the total capacity of the container remains in the container or inner liner if the container is less than or equal to 119 gallons in size; or (B) No more than 0.3 percent by weight of the total capacity of the container remains in the container or inner liner if the container is greater than 119 gallons in size.

### DOT “Empty Container” regulations given at 49 CFR §173.29(a)

***US DOT: EMPTY CONTAINER***

49 CFR §173.29(a) states, empty packaging containing only the residue of hazardous material must be offered for transport in the same manner as when it previously contained a greater quantity of that hazardous material.

# Conditions of Empty Return Program

**MASTER COMPLIANCE AGREEMENT  
AKZO NOBEL POLYMER CHEMICALS, LLC  
AMBIENT ORGANIC PEROXIDE EMPTY CONTAINER RETURN PROGRAM**

On behalf of \_\_\_\_\_, I hereby certify that all of the  
(customer's name here)  
containers included in empty container return shipments will be prepared for transportation in  
accordance with "RCRA Empty" as defined by 40 CFR §261.7 and comply with each  
requirement listed below and as summarized within AkzoNobel's AMBIENT ORGANIC  
PEROXIDE EMPTY CONTAINER RETURN PROGRAM.

- Containers will be appropriately emptied to comply with the "RCRA Empty" requirement –  
no more than 4 fluid ounces of residue will remain in a container. \_\_\_\_\_  
(customer initials here)
- Original container caps will be reinstalled and tightened to 22-25 foot-pounds of torque.
- Customer will stack the empty containers on the pallet that originally held the containers.  
The stacking configuration is the same as originally received and no more than the maximum  
allowed per pallet.
- The pallet's outermost packing (cardboard sleeve) must be labeled with a product label,  
appropriate hazard labels and an overpack label on two sides (example attached).
- Customer will properly prepare a complete Bill of Lading, which will accompany the  
shipment. The Bill of Lading along with this completed EMPTY CONTAINER CERTIFICATION  
will be faxed to AkzoNobel Customer Service (1-312-544-7188) by the customer prior to  
return of the empty containers. (Customer will be responsible for costs associated with  
returning the empty containers to AkzoNobel.)
- Customer will return the pallets containing the empty containers to AkzoNobel Polymer  
Chemicals LLC, 13000 Bay Park Road, Pasadena, TX, 77507 as per the AMBIENT ORGANIC  
PEROXIDE EMPTY CONTAINER RETURN PROCEDURE.

Failure to comply with the AMBIENT ORGANIC PEROXIDE EMPTY CONTAINER  
RETURN PROCEDURE or falsification of any of the information provided above in  
this MASTER COMPLIANCE AGREEMENT may result in rejection of any non-  
compliant containers and/or cessation of this empty container return service. In  
addition, in consideration for the service being provided through this program,  
customer agrees to be responsible for any claims, losses or damages resulting from  
customer's non-compliance with applicable regulations or the AMBIENT ORGANIC  
PEROXIDE EMPTY CONTAINER RETURN PROCEDURE.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Authorized Signature

Print Name: \_\_\_\_\_

40 CFR §261.7(b)(1) states: "A container or an inner liner removed from a container that has held any hazardous waste, except a waste that is a compressed gas or that is identified as an acute hazardous waste listed in §261.31 or 261.33(a) of this chapter is empty if:  
(i) All wastes have been removed that can be removed using the practices commonly employed to remove materials from that type of container, e.g., pouring, pumping, and aspirating; and  
(ii) No more than 2.5 centimeters (one inch) of residue remain on the bottom of the container or inner liner, or  
(iii)(A) No more than 5 percent by weight of the total capacity of the container remains in the container or inner liner if the container is less than or equal to 119 gallons in size; or  
(B) No more than 0.5 percent by weight of the total capacity of the container remains in the container or inner liner if the container is greater than 119 gallons in size."  
49 CFR §173.29(a) states: empty packaging containing only the residue of hazardous material must be offered for transport in the same manner as when it previously contained a greater quantity of that hazardous material.

## Required actions for Returns:

- **Signature on “Empty Container Certification” Master Compliance Agreement.**
- **Only AKZONOBEL plastic product containers qualify.**
- **All wastes must be removed by common practices (pouring, pumping, aspirating).**
- **Waste residue can be no more than 4 fluid ounces (120 milliliters).**



## Empty Container Certification

- The customer is required to sign an AkzoNobel “EMPTY CONTAINER CERTIFICATION” prior to returning any shipment of empty containers to AkzoNobel.



**EMPTY CONTAINER CERTIFICATION – AMBIENT**

**AKZO NOBEL POLYMER CHEMICALS, LLC**  
**AMBIENT ORGANIC PEROXIDES EMPTY CONTAINER RETURN PROGRAM**

On behalf of \_\_\_\_\_, I hereby certify that all of the  
(shipper's/customer's name here)  
 containers included in this shipment have been prepared for transportation in accordance with the  
(customer initials here)  
 "RCRA Empty" as defined by 40 CFR §261.7 and comply with each requirement summarized within  
 AkzoNobel's Ambient Organic Peroxide Empty Container Return Procedure.

- Containers are AkzoNobel plastic product containers and have been:
  - Emptied to less than 4 fluid ounces of product residue
  - Tightly recapped with the original lid to 22-25 foot-pounds of torque.
- Customer has stacked the empty containers on the pallet that originally held the containers. The stacking configuration is the same as originally received and no more than the maximum allowed per pallet.
- The pallet's outermost packing (cardboard sleeve) must be labeled with a product label, appropriate hazard labels and an overpack label on two sides (example attached).
- Customer has properly prepared a complete Bill of Lading, which will accompany the shipment. The Bill of Lading along with this completed EMPTY CONTAINER CERTIFICATION will be faxed to AkzoNobel Customer Service (1-312-544-7188) or emailed to ANPC-CS@akzonobel-pc.com by the customer prior to return of the empty containers.
- Customer should return the pallets containing the empty containers to AkzoNobel Polymer Chemicals LLC, 12900 Bay Park Road, Pasadena, TX, 77507.
- Customer will only use an LTL carrier \_\_\_\_\_ and be responsible for all shipping costs of the empty containers as of January 1, 2014.  
(carrier name here)

Failure to comply with the AMBIENT ORGANIC PEROXIDES EMPTY CONTAINER RETURN PROCEDURE or falsification of any of the information provided above in this certification may result in rejection of any non-compliant containers and/or cessation of this empty container return service.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Signature

Print Name: \_\_\_\_\_

40 CFR §261.7(b)(1) states: "A container or an inner liner removed from a container that has held any hazardous waste, except a waste that is a compressed gas or that is identified as an acute hazardous waste listed in §§261.31 or 261.33(a) of this chapter is empty if:  
 (i) All wastes have been removed that can be removed using the practices commonly employed to remove materials from that type of container, e.g., pouring, pumping, and aspirating; and  
 (ii) No more than 2.5 centimeters (one inch) of residue remain on the bottom of the container or inner liner, or  
 (iii)(A) No more than 5 percent by weight of the total capacity of the container remains in the container or inner liner if the container is less than or equal to 119 gallons in size, or  
 (B) No more than 0.3 percent by weight of the total capacity of the container remains in the container or inner liner if the container is greater than 119 gallons in size."

40 CFR §173.26(c) states, empty packaging containing only the residue of hazardous material must be offered for transport in the same manner as when it previously contained a greater quantity of that hazardous material.

## **Empty Container Certification**

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- **The responsible party at the customer's location must sign this certification for each shipment. (preferably the individual preparing the containers for return)**
- **Fax or Email a copy of the signed certificate with the Bill of Lading to the AkzoNobel Customer Service Department prior to making the shipment.**

**Fax: 1-312-544-7188**

**Email: [ANPC-CS@akzonobel-pc.com](mailto:ANPC-CS@akzonobel-pc.com)**

## Preparations for Shipping UNRINSED containers

**AkzoNobel**

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- Empty the container, recap with original cap and tighten to 22-25 foot pounds (ft. lbs.) of torque.
  - Original packaging labels SHOULD NOT be removed, obliterated or covered.
  - Pack containers on a pallet in staggered pattern as shown so as to contain no more than 48 containers. (See slide 14)
  - Place cardboard sleeve (provided by AkzoNobel) over containers on pallet and replace original cardboard cap.
  - Unitize pallet to prevent slippage by shrink wrapping cap to sleeve as shown.
  - Label exterior of pallet cardboard sleeve on two sides with product label, hazardous label and overpack label.
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## Preparations for Shipping RINSED Containers

**AkzoNobel**

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### EXCEPTION to Labelling Requirements:

- **If the containers are emptied, TRIPLE RINSED and dried, it is unnecessary to apply product-specific, DOT-compliant labels.**
- **Pack containers on a pallet in staggered pattern so as to contain no more than 48 containers. (See Slide 14)**
- **Place cardboard sleeve (provided by AkzoNobel) over containers on pallet and replace original cardboard cap.**
- **Unitize pallet to prevent slippage by shrink wrapping cap to sleeve as shown.**
- **Label exterior of pallet cardboard sleeve on two sides with overpack label and product label only.**

## Pallet Sleeve Construction



## Staggered Pattern

Caps are in alternating directions



## Pallet Sleeve Transport



## **Preparations for Shipping (cont.)**

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- The pallet must be shipped at the customer's expense.
- The pallet must be labeled as a hazardous ambient OP container which contains a "Residual Last Contained" as reported on the Bill Of Lading (BOL).
- The customer must create a Bill of Lading, which identifies the Customer as the "shipper of record", for return of the empty containers.
- DOT Hazardous material shipping description information is required to be shown on the bill of lading prefaced by the verbiage "Residue, Last Contained:" as the containers will contain a small amount of the original product.



## **Preparations for Shipping (cont.)**

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**Pallets containing appropriately prepared empty containers can be sent FOB to:**

**AkzoNobel - Logistics Department  
12900 Bay Park Road  
Pasadena, Texas 77507  
Telephone - 281-291-2563**

## **Shipping**

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### **RETURN VIA COMMON CARRIER**

- **Contact an LTL carrier with the number of pallets they have and the approximate weight.**
- **Each pallet with empty containers weighs approximately 250 lbs.**
- **Before loading, inspect to insure labels correctly indicate the previously contained chemical and chemical hazard information and are present on the exterior of the unitized pallet.**
- **Once loaded, the truck driver must sign the Bill of Lading.**

**ASSISTANCE**

**AkzoNobel can assist our customers in identifying the best methods for emptying containers unique to their own specific situations.**

**Contact Customer Service**

**+1 (800) 828-7929**

**ANPC-CS@akzonobel-pc.com**

**OR**

**AkzoNobel Technical Development Manager**

**Tony Bennett**

**Email: [anthony.bennett@akzonobel.com](mailto:anthony.bennett@akzonobel.com)**

**phone: +1 (281) 291-2539**

## **Non-Compliance to Return Program**

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**Non-Compliance to these conditions cited here may result in:**

- **Rejection of package by shipping contractor.**
- **Rejection of package at AkzoNobel manufacturing site.**
- **Return of packaging to customer.**
- **Significant regulatory enforcement action and/or penalties (fines).**
- **Claims, losses and/or damages caused by non-compliance.**
- **Loss of program privileges.**

